

Excerpts
Planning Commission Minutes
May 12, 2004

Application No. ZT-87-04, York County Board of Supervisors: Request to amend Section 24.1-403(g) of the York County Zoning Ordinance to allow “single-family attached” dwelling units to be eligible for the special building addition and accessory structure setback provisions currently limited to “townhouse” units. The proposed amendments would authorize single-story building additions to any single-family attached home whose rear lot line abuts a common open space area of at least 20 feet in width. These amendments also would provide allowances for detached storage sheds of up to 60 square feet in conjunction with single-family attached homes.

Timothy C. Cross, AICP, Principal Planner, reviewed the staff memorandum to the Commission in which the staff recommended approval. He explained the crux of the application is to permit the same rules for detached structures and building additions to any single story attached home as is permitted for townhouse units.

Mr. Davis asked if accessory structures could be placed on the zero lot line, and **Mr. Cross** said that would be permitted if approved. **Mr. Davis** was concerned that historic views and protection of historic areas might then be compromised. **Mr. Cross** explained the Yorktown Village Activity zoning district and the Yorktown Design Guidelines should take care of any such issues. **Mr. Carter** agreed and added that after June 1, 2004, when the Design Guidelines become effective, minor additions and small accessory structures associated with an attached unit will be subject to a review process and Board of Supervisors approval without a formal public hearing.

Vice Chair Ptasznik opened the public hearing.

Mr. Bob Jodon, 611 Commons Way, introduced **Mrs. Jodon** and noted that their desire to replace their deck with a sunroom had been instrumental in bringing this issue to the Commission and the Board. They had not understood when they purchased their home they would not be permitted to add a sunroom, and have found the deck to be less enjoyable during the summer months than an enclosed sunroom would be. He said if the addition is permitted, the roofline and the type and color of siding would be compatible with the existing structure. **Mr. Jodon** thanked the Commission and requested a favorable consideration.

There were no others to speak, and Vice Chair Ptasznik closed the public hearing.

Mr. Barba thought it should be approved and **Messrs. Hamilton, Heavner, and Davis** also indicated their support. **Mr. Hamilton** moved adoption of Resolution PC04-11.

PC04-11

On motion of Mr. Hamilton, which carried 5:0 (Messrs. Harvell and Simasek absent), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN AMENDMENT TO SECTION 24.1-403(g)(1) OF THE YORK COUNTY ZONING ORDINANCE TO ALLOW "SINGLE-FAMILY ATTACHED" DWELLING UNITS TO BE ELIGIBLE FOR THE SPECIAL BUILDING ADDITION AND ACCESSORY STRUCTURE SETBACK PROVISIONS CURRENTLY LIMITED TO "TOWNHOUSE" UNITS

WHEREAS, Section 24.1-403(G)(1) of the Zoning Ordinance establishes certain special setback provisions for additions to townhouse dwelling units and structures accessory to townhouse units; and

WHEREAS, it has come to the Board's attention that the current wording does not allow such special setback provisions to apply to duplexes and multiplexes, both of which are "single-family attached dwelling units" as are townhouses: and

WHEREAS, in the interest of good zoning practice, the Board has sponsored Application No. ZT-87-04 to amend Section 24.1-403(g)(1) to expand the special setback provisions to apply to all types of "single-family attached" dwelling units;

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 12th day of May, 2004, that Application No. ZT-87-04 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to amend Section 24.1-403(g)(1) of the York County Zoning Ordinance to expand the special setback provisions applicable to townhouses to all single-family attached dwelling unit types.

Sec. 24.1-403. Standards for single-family attached dwellings.

The following standards shall be required of all single-family attached developments. Evidence of compliance shall be demonstrated through preparation of a site plan in accordance with all requirements of article V.

- (g) Each single-family attached dwelling unit shall have direct access to a private rear or side yard or patio area which should be enclosed or visually screened by fences, walls or plantings. Accessory storage sheds, fences, walls or other structures, designed and constructed at the time of development as an architecturally compatible addition to the dwelling unit, may occupy up to sixty (60) square feet ~~{2m²}~~ of the required rear or side yard area. Such sheds shall not exceed six feet (6') ~~{2m}~~ in width nor ten feet (10') ~~{3m}~~ in depth and shall be located along one of the side lot lines in order to serve as a privacy screen and to maximize the usefulness of the remaining yard/patio area. Other provisions of this chapter notwithstanding, required yard setback dimensions shall be measured to the ~~townhouse-unit~~ rather than to any attached accessory structure.

In addition to the above-described standards, the following provisions shall apply in the situations noted:

- (1) When the rear lot line of a ~~townhouse-single-family attached~~ unit abuts a common open space strip of at least twenty feet (20') ~~{6m}~~ in width, or where the rear lot line faces the side lot line of an adjoining unit and is separated from it by a common open space strip of at least ten feet (10') ~~{3m}~~ in width, there may be, as a part of the original construction, or as a later addition, a single-story attached room, storage shed, patio enclosure, screened porch, awning, or other similar structure which projects into the required fifteen foot (15') ~~{4.5m}~~ setback by as much as ten feet (10') ~~{3m}~~. No such extension shall be closer to a side lot line than otherwise authorized by the applicable dimensional regulations.
- (2) Detached single-story storage sheds or similar structures may be located within the required fifteen foot (15') ~~{4.5m}~~ rear yard area and along a side or rear property line provided that they do not exceed sixty (60) square feet ~~{5m²}~~ in area, are located at least five feet (5') ~~{1.5m}~~ from the principal structure, and the rear lot line abuts a common open space area of at least twenty-five feet (25') ~~{7.5m}~~ in width.
- (3) For the purposes of administering the provisions set forth in Sections 24.1-403(g)(1) and (2) above, for a quadruplex lot or other residential lot in a multiplex grouping in which units are arranged back-to-back and side-to-side, no additions or accessory structures shall be permitted in yards that abut a public or private street or parking area.
